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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,409	10/03/2001	Matthew Shulman	213792	2545

7590                    12/03/2004

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EXAMINER

INGBERG, TODD D

[REDACTED]  
ART UNIT                  PAPER NUMBER  
2124

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/970,409	SHULMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Todd Ingberg	2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 July 2004.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 21-35 is/are pending in the application.
- 4a) Of the above claim(s) 1-20 is/are withdrawn from consideration.
- 5) Claim(s) 26-31,33 and 34 is/are allowed.
- 6) Claim(s) 23-25,32 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Requirement For Information - 37 USC § 1.105***

1. Applicant and Assignee of this application are required under 37 CFR 1.105 to provide the following that the Examiner has determined is reasonably necessary to the examination of this application.
2. The Assignee (Microsoft®) and inventors and Applicant's Representative(s) are required to provide the Patent Office with the following information.

Information on the first use and/or for sale of Microsoft product using the feature "IntelliSense" and relevant documentation of operations and use with an interpreted or compiled environment. It appears from the reference "Visual Basic for Applications Unleashed" by Paul Mc Fedries published March 21, 1997, that the feature functionality is embedded in several Microsoft products (possible Visual Basic 5.0, beta release of Visual Basic 6.0, or VBA 5.0). The text book is published just prior to the effective filing date of the instant invention. Text book publishing date normally trail product release dates. The thirty two pages reference hand numbered by Examiner on page 32 Figure 1.11 appears to be similar to the claimed invention.

This requirement is made with the intent to assist in the prosecution of this case. The Examiner feels the scope of this requirement is narrow and should be well within the abilities of the concerned parties to provide this information.

The information is required to identify the date of first use and first sale of Microsoft products with "IntelliSense" and documentation on the operations and use with an interpreted or compiled environment..

Where applicant does not have or cannot have readily obtained items of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

The fee and certification requirements of 37 § C.F.R. 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 § C.F.R. 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communications responding to this requirement and any information disclosures beyond the scope of this requirement under 37 § C.F.R. 1.105 are subject to the fee and certification requirement of 37 § C.F.R. 1.97

This requirement is subject to the provisions of 37 C.F.R. 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

### *Correspondence Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Todd Ingberg** whose telephone number is (571) 272-3723 (as of October 23, 2004).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Kakali Chaki** can be reached on (571) 272-3719. Please, note that as of August 4, 2003 the **Official FAX number** changed to (703) 872-9306.

Also, be advised the United States Patent Office **new address** is

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Alexandria, Virginia 22313-1450

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



**Todd Ingberg**  
Primary Examiner  
Art Unit 2124  
November 28, 2004